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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/711,852	10/08/2004	Wen-Chun Zheng	NLT-P101	5851

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EXAMINER

WHITE, DWAYNE J

ART UNIT PAPER NUMBER

3745

DATE MAILED: 02/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/711,852

Applicant(s)

ZHENG, WEN-CHUN

Examiner

Dwayne J. White

Art Unit

3745

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☒ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 October 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

Examiner's Note

The Examiner wishes to point out that Applicant's claims contain narrative language that should not be recited in the claims. For example, in claim 5, Applicant states in line 4 "The blowers of this type with inlet and outlet on sides can eliminate the air gap between the bottom of a laptop and the top of the desk, so that the heat conduction through bottom side can be enhanced dramatically." This type of language should not be in the claims. It is strongly suggested by the Examiner that Applicant review the claims and remove the narrative language, i.e. any language not directed to the inventions structure or function.

The Examiner also notes that the claims contain numerous grammatical errors. It is strongly suggested that Applicant also review the claims to correct the language accordingly.

Claim Objections

Claim 6 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claim 6 appears to be trying to provide a functional limitation to the claim. However, it is unclear what that limitation is.

Claim 7 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Specifically, claim 7 calls for "a generalized air exchangers, fluid

Art Unit: 3745

pumps” utilizing the mechanism of claim 1. It is the position of the Examiner that the air exchanger/fluid pump is the same as a bi-directional blower.

Claim 5 is objected to because of the following informalities: Claim 5 contains 2 sentences. US practice requires that claims being only a single sentence. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 5 and 6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Specifically, claims 5 and 6 all claim devices that are contradictory to the device of the parent claim. Claim 5 is directed to a one-way blower and claim 6 is directed to a centrifugal blower while the parent claim defines the invention as bi-directional. It appears that Applicant is attempting to combine two different embodiments. Correction if required.

Claims 1-7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, claim 1 recites the limitation “which forms a separate zone with conjunction of blades and/or impellers.” It is unclear to the Examiner what this limitation means. Since Applicant further claims stationary blades and airfoils, it is unclear which structure Applicant is referring to. Clarification and revision is required. In regards to claims 2-7, since

Art Unit: 3745

they do not correct the deficiency of claim 1 as cited above, they inherent the indefiniteness by virtue of dependency.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, and 5-7 (as far as they are definite) rejected under 35 U.S.C. 102(b) as being anticipated by Kamekawa et al. (5,816,319). Kamekawa et al. discloses a bi-directional blower comprising: a housing with built-in broken walls 15 which form a separate zone to construct inlet and outlet channels; stationary blades and airfoils 16 (it is the position of the Examiner, based on the specification that the stationary blades and airfoils are the same structure); inlets 17 and outlets 18; a motor 5 on which a rotor 19 is mounted, said rotor having rotary blades and a cover 12 (Figure 9). Kamekawa et al. further discloses an embodiment wherein the inlet is located on the top of the housing. In regards to claims 2, 6 (as far as it is definite), neither claim presents any structural limitation to the parent claim nor therefore it is the position of the Examiner that the claim language is functional. Since Kamekawa et al. appear to disclose the structure of the claimed invention it is the position of the Examiner that the apparatus of Kamekawa et al. would function as claimed by applicant.

Art Unit: 3745

CONCLUSION

Allowable Subject Matter

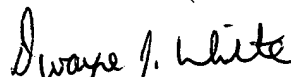
Claim 4 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dwayne J. White whose telephone number is (571) 272-4825. The examiner can normally be reached on 7:00 am to 4 pm T-F and alternate Mondays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Look can be reached on (571) 272-4820. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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Patent Examiner
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2/21/06